

BOBBY JINDAL
Governor



JAMES M. Le BLANC
Secretary

State of Louisiana
Department of Public Safety and Corrections

December 9, 2015

Louisiana Ethics Administration Program
P. O. Box 4368
Baton Rouge, LA 70821

To Whom It May Concern:

I am seeking an advisory opinion from the Louisiana Board of Ethics for determination of whether the Academy of Training Skills (ATS), a judicial agency referral residential facility, is considered a public agency and/or whether its owner/operator is a public servant as defined by the Louisiana Code of Ethics and, therefore, subject to its regulations.

LA R.S. 40:2852 defines a judicial agency referral residential facility as

- A. *Any facility, including pretrial diversion facilities, not otherwise required to be licensed by the Department of Health and Hospitals or the Department of Children and Family Services, that provides housing or temporary residence for individuals who have been arrested for the commission of a crime and who are referred by any judicial agency, as defined by this Section, shall be regulated by rules adopted and enforced by the Department of Public Safety and Corrections for the operation of these facilities.*
- B. *The rules shall include but not be limited to providing for the construction, standards of operation, and services provided for these facilities. All rules shall be adopted in accordance with the Administrative Procedure Act.*
- C. *No facility shall provide housing or temporary residence to any individual and no judicial agency shall refer any individual to a facility providing housing or temporary residence until the Department of Public Safety and Corrections has adopted rules and has inspected the facility and certified that the facility is in compliance with these rules as provided for by the Section.*
- D. *All facilities shall be accredited by the American Correctional Association within twenty-four months of opening as a judicial agency referral residential facility and shall maintain accreditation by the American Correctional Association at all times thereafter.*

Candidates for the pretrial diversion program are screened by a referring agency of the Criminal Justice System (i.e., District Attorney's Offices, Judges, or DPS&C Probation & Parole). ATS provides housing, clothing, meals, transportation, employment, counseling, and education to participants. It is self-funded through participant tuition payments and does not receive any federal or State funds.

ATS must maintain accreditation by the American Correctional Association for Adult Community Residential Services and must comply with the *Standard Operating Procedures for Judicial*

Post Office Box 94304, Baton Rouge, Louisiana 70804-9304 • (225) 342-6571 • Fax (225) 342-6568

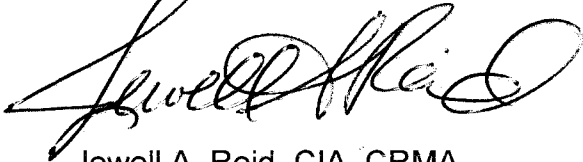
www.doc.la.gov

An Equal Opportunity Employer

Agency Referral Residential Facilities issued by the Department of Public Safety & Corrections – Corrections Services (DPS&C). ATS is also subject to annual compliance reviews by DPS&C's Adult Services Division and internal audits by DPS&C's Internal Audit Division.

If you need any further information, please contact me at 225-342-1083.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jewell A. Reid". The signature is fluid and cursive, with the first name "Jewell" being more prominent and the last name "Reid" following in a similar style.

Jewell A. Reid, CIA, CRMA
Director of Internal Audit